

FOR IMMEDIATE RELEASE
December 22, 2010

Lanny J. Davis & Associates, LLC Corrects Distortions of Role Advising Ivory Coast on Resolving Electoral Crisis

As described in Dec 20, 2010 public statement about LJD&A's role :

"...I have not been asked by the Ivorian government to try to prove...who is right or who is wrong."

"...I am counseling the Government in order to peacefully resolve the crisis in a spirit of reconciliation, transparency, and through mediation, recognizing the concerns of the international community."

"...I have further advised the Government that they should seek the assistance of an outside mediator of acknowledged integrity and objectivity, such as former South African President Mbeki, who successfully mediated the accords that helped resolve conflict in the Ivory Coast in 2005, or some other similar world leader who is acceptable to all parties, so this crisis can be resolved without any further violence or instability."

DAVIS also ADDED an additional comment on December 22, 2010:

"I also note President Gbagbo's statement, as reported in today's New York Times, that he will not tolerate violence and abuses and condemns them, that he has called for a full investigation by objective authorities into reports of abuses, and for anyone responsible to be prosecuted to the fullest extent of the law."

"Also his televised speech yesterday emphasizing that he welcomes an international panel to address questions about the election and review questions about fraud, violence and interference raised by the EU, AU and other election monitors, as well as his extending a hand to Mr. Ouattara and calling for the joint renunciation of violence and a solution to the electoral fraud dispute through mediation, transparency and reconciliation."

As originally released, December 20, 2010
Contact Maddie Melendez, 202/756-8293

Lanny J. Davis & Associates Addresses Mission in Advising Ivory
Coast on Resolution of Election Crisis
WASHINGTON, DC: Lanny J. Davis and Associates LLC, Washington DC,
law firm with expertise in law, media, and public affairs, has been retained by

the Government of the Ivory Coast to advise it on various options for peacefully resolving the crisis surrounding the November 28, 2010 presidential election in a spirit of reconciliation and transparency, recognizing the concerns of the international community, and consistent with the Ivory Coast's constitution and law.

The firm and its principal, Lanny J. Davis, will assist the government in working with the U.S. Government and the world community to seek a solution grounded in those principles, especially a renunciation of violence by all parties in the country as soon as possible.

"I have advised the government to be fully transparent in all respects," said Davis. "I have emphasized the necessity of disclosing all evidence and assertions upon which the Constitutional Council, the supreme judicial authority charged with determining the outcome of elections under the Ivorian Constitution, determined on December 3 that Laurent Gbagbo was the winner of the election."

"I have not been asked by the Ivorian government to try to prove to the world community who won the election in the Ivory Coast, or who is right or who is wrong. I urge the international community to avoid a rush to judgment until all the facts regarding the November 28 election are fairly evaluated -- a position that offers the best chance to avoid bloodshed and to achieve peace and stability, and one that I have taken in providing crisis management advice to clients all my professional career," Davis said.

The firm has recommended to the Ivory Coast government that in order to resolve this crisis peacefully and in a spirit of reconciliation, it should, out of respect for the international community, seek the assistance of an outside mediator of acknowledged integrity and objectivity, such as former South African President Mbeki, who successfully mediated the accords that helped resolve violence in the Ivory Coast in 2005 or some other similar world leader who is acceptable to all parties.

Lanny J. Davis & Associates is prepared to assist the government's outreach to the international community, to encourage a solution on the basis of these recommendations, and to counsel complete transparency, and a commitment to non-violence and reconciliation, so that this crisis can be resolved without any further violence or instability.

For further information, including Lanny Davis's full statement and the Ivory Coast Government factsheet on the election controversy, see: <http://www.ivorycoastelection.com>

###

- Ivory Coast Government Fact Sheet
- UPDATED – Statement By Lanny J. Davis

Ivory Coast Election 2010 Facts

Ivory Coast Government Fact Sheet

Statement by the Government of the Ivory Coast Basic Facts Surrounding The Controversy Over The November 28 Elections

DECEMBER 20, 2010

FOR RELEASE AS OF 1 PM EST / WASHINGTON D.C. TIME

Email: ivorycoastelection@gmail.com for more information.
Click here to download all references as single file [PDF]

On December 3 the Ivory Coast's Constitutional Council determined that Laurent Gbagbo was the winner of the November 28 election runoff, winning 51.45% of the vote to Alassane Ouattara's 48.55% (see Attachment A, pp. 8-9). The Constitutional Council is the supreme election judicial authority in the Ivory Coast according to the Ivory Coast Constitution, charged with "proclaim[ing] the definitive results of... presidential elections" (see Attachment B, Article 94). Its decisions are final and "not susceptible to any recourse" (see Attachment B, Article 98).

Previously on December 2, the head of the Independent Electoral Commission, Youssouf Bakayoko, announced on French TV from the opposition headquarters hotel that Mr. Ouattara had won the election. The Commission, where representatives from political parties opposed to Mr. Gbagbo and his Ivorian Popular Front (FPI) party dominate by a 20-2 margin by law and appointment (see Attachment C and Attachment D), is limited to overseeing election mechanics and publishing only provisional results "for which the final announcement of results is the exclusive competence of the Constitutional Council" (see Attachment E – Act No. 2004-642 amending Act No. 2001-634 – and also Attachment B, Article 32).

Mr. Bakayoko's results – announced contrary to the express regulations governing the conduct of that Commission (see Attachment F) – were "certified" as definitive by the United Nations Secretary-General's Special Representative Y.J. Choi. They have since been cited in an international rush to judgment, and in manner neglecting the Electoral Commission's constitutionally circumscribed role of determining only provisional election results and the Constitutional Council's constitutionally supreme role in determining final election results.

The United Nations and other international actors have subsequently rushed to insist that Mr. Ouattara has legally ascended to the Presidency, despite Mr. Ouattara failing to adhere to the constitutionally mandated protocols governing presidential election proclamations, and failing to meet the required obligations governing inaugurations (see Attachment B, Article 39).

On the basis of the Constitutional Council's decision, which cited election irregularities in 7 provinces

(see Attachment A), the Ivory Coast government believes that Pres. Gbagbo is the constitutionally elected president, that the international community has rushed to judgment in declaring Mr. Ouattara the election winner, and that the evidence that lead the Constitutional Council to make its decision has not been fairly evaluated by the international community. Third party and news wire reports validate claims of irregularities, such as:

- Reuters reported that the European Union observer mission issued a statement accusing the Electoral Commission of "unacceptable obstruction." The statement also noted that "despite a number of requests addressed to the [Electoral Commission], the EU mission continues to face significant obstacles accessing electoral operations" (see Attachment G).
- In those areas where the EU did have access, according to Radio France Internationale/Agence France Presse, UN observer mission head Cristian Peda noted "irregularities, some obstacles on the day of the vote and serious tension." (see Attachment H) Additional Agence France Presse reports conveyed how "barriers were observed blocking people from voting... including in Gbagbo's hometown of Gagnoa," and how "ballots were stolen" (see Attachment I).
- Observer reports from certain African civil society groups confirmed substantial irregularities.
 - The Observer Mission of the African Union noted "serious acts of violence, namely losses of human lives, infringement of physical integrity, intimidations, and abduction attempts and damage to electoral material," including cases where Mr. Gbagbo's representatives were "unable to participate in any polling process" in an entire district. The mission documented over 70 polling stations where results were "signed either in the absence of [Mr. Gbagbo's] representatives, or by themselves under... constraint," concluded that the ballot process in those locations "could not be held in the transparent way which is essential for the honesty of the ballot," and noted that the events "constitute[d] an important technicality" in the election. The mission called for "careful assessment from the competent institutions... to determine their impact on the ballots" (see Attachment J, esp pp i, 2, and 6).
 - A coalition of 21 non-governmental organizations under the umbrella of the Coordination of the Observers from the International Mission of the African Civil Society (COMISCA), reported that "some active members and representatives of the LMP Party were prevented from voting freely, ballot boxes were carried by men in uniform precisely in the Korhogo, Mankono, and Seguela areas, [they] witnessed... manhandling of some persons inside the polling stations, the ballot secrecy was violated and instructions on how to vote were given by some members of the polling stations, some corporal and material damages were recorded as well." COMISCA ultimately concluded that the circumstances "strongly called into question" "the democratic process" (see Attachment K).
 - CEPECA, The Organization of the emissaries for the promotion of credible elections in Africa, "denounced the violence and barbarous deed perpetuated on [Mr. Gbagbo's] representatives," noting among other irregularities that Mr. Gbagbo's representatives were in places prevented from voting and subject to verbal and physical attacks, that ex-rebels took ballot boxes to unknown places, that "there was stuffing of ballots on a large scale" and "serious infringement of human rights," and that section agents gave orders favoring the opposition (see Attachment L).
 - An EU-funded domestic coalition of 134 civil society groups under the umbrella of the Convention of Ivorian Civil Society (CSCI), the largest civil society coalition in the Ivory Coast, dispatched over 1,000 monitors to 38% of the polling stations. They noted late and insufficient election material, violence and intimidation at polling stations, destruction of ballots and ballot boxes, multiple voting, barring of voters, barring of monitors, and the insecure transfer of ballots, including attacks on convoys (see Attachment M).
 - The African Civil Society for Democracy and Electoral Assistance, OSCADAE, concluded that "the credibility of the polling was strongly called into question" in some of the stations

where, among other irregularities, “candidate representatives, notably from [Mr. Gbagbo’s party], were prevented from doing their duty” and “physical attacks were recorded” (see Attachment N).

There were also eye-witness accounts and video-taped interviews of individuals from the opposition-controlled northern areas documenting violence, voter suppression, and widespread fear, including the murder of a representative from Mr. Gbagbo’s party and the rape and murder by Mr. Ouattara’s supporters of a woman attempting to vote.

A turnout disparity between the Independent Electoral Commission’s results and the Constitutional Council’s findings reflects evidence of fraudulent ballot-stuffing, which was also reported by eye-witnesses and observers, and as was cited as evidence for the Constitutional Council’s decision to declare Mr. Gbagbo the winner (see Attachment A, p. 4).

The ballot count recorded by the Electoral Commission and later relied upon in testimony to the United Nations Security Council by Secretary-General Special Representative to the Ivory Coast Y.J. Choi (see Attachment O) estimated turnout of 81.1%. But this turnout estimate is more than 10% higher than the Constitutional Council’s estimate of 71.28% (see Attachment A, p. 7). The government points out that numerous on-scene observers, such as the European-funded Convention of Ivorian Civil Society (CSCI), estimated a turnout approximating the Constitutional Council’s calculation (see Attachment M, p. 7), a number reflecting the increase in violence as compared to the first round of the election, when turnout was 83.7% (see Attachment M, p. 7).

This material is distributed by Lanny J. Davis & Associates LLC and DAVIS-BLOCK LLC on behalf of the Government of Cote d’Ivoire. Additional information is available at the U.S. Department of Justice.



December 21, 2010 10:25 AM Eastern Daylight Time

**Lanny J. Davis to Brief Reporters
on His Law Firm's Representation
of Ivory Coast in Seeking
Mediation, Fact-Finding, and
Peaceful Reconciliation of
Presidential Elections Dispute**

-(BUSINESS WIRE)--Lanny J. Davis

When: Tuesday, December 21, 2010

Who: Lanny J. Davis to conduct briefing

Call in: 1:00 PM EST/Washington D.C.

International conference number: +1 847 413
3238

JSA conference call number: (800) 447-0521

Confirmation Number: 28702365

For complete statements by Lanny J. Davis

visit:

http://www.ivorycoastelection.com/STATEMENT_BY_LANNY_DAVIS.html

For a statement by the Government of Ivory

Coast, please visit:

<http://www.ivorycoastelection.com>

For documentation email:

ivorycoastelection@gmail.com

*This material is distributed by Lanny J. Davis &
Associates LLC on behalf of the Government of
Ivory Coast. Additional information is available
at the U.S. Department of Justice.*

Contacts

Lanny J. Davis

Maddie Melendez, 202-756-8293

2011 JAN -1 PM 3:55

soon as possible.

"I have advised the government to be fully transparent in all respects," said Davis. "I have emphasized the necessity of disclosing all evidence and assertions upon which the Constitutional Council, the supreme judicial authority charged with determining the outcome of elections under the Ivorian Constitution, determined on December 3rd that Laurent Gbagbo was the winner of the election."

"I have not been asked by the Ivorian government to try to prove to the world community who won the election in the Ivory Coast, or who is right or who is wrong. I urge the international community to avoid a rush to judgment until all the facts regarding the November 28 election are fairly evaluated – a position that offers the best chance to avoid bloodshed and to achieve peace and stability, and one that I have taken in providing crisis management advice to clients all my professional career," Davis said.

The firm has recommended to the Ivory Coast government that in order to resolve this crisis peacefully and in a spirit of reconciliation, it should, out of respect for the international community, seek the assistance of an outside mediator of acknowledged integrity and objectivity, such as former South African President Mbeki, who successfully mediated the accords that helped resolve violence in the Ivory Coast in 2005 or some other similar world leader who is acceptable to all parties.

Lanny J. Davis & Associates is prepared to assist the Government's outreach to the international community, to encourage a solution on the basis of these recommendations, and to counsel complete transparency, and a commitment to non-violence and reconciliation, so that this crisis can be resolved without any further violence or instability.

For further information, including Lanny Davis's full statement and the Ivory Coast Government factsheet on the election controversy, see: <http://www.ivorycoastelection.com>

This material is distributed by Lanny J. Davis & Associates, LLC on behalf of the Government of Cote d'Ivoire. Additional information is available at the U.S. Department of Justice.

Contact

Maddie Melendez

202-756-8293

SOURCE Lanny J. Davis and Associates LLC

[Back to top](#)

RELATED LINKS

<http://www.ivorycoastelection.com>

Find this article at:

<http://www.prnewswire.com/news-releases/lanny-j-davis--associates-llc-corrects-distortions-of-role-advising-ivory-coast-on-resolving-electoral-crisis-112396804.html>

☐ Check the box to include the list of links referenced in the article